

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION OF )	ORDER APPROVING
FIRSTEL, INC. TO OFFER NEGOTIATED )	WAIVERS
RATES )	TC97-109

On June 25, 1997, the Public Utilities Commission (Commission) received a filing from FirstTel, Inc. (FirstTel). On July 1, 1997, an amended filing was received from FirstTel. In this filing, FirstTel requested that the Commission approve the waiver of ARSD 20:10:24:02(7) and 20:10:24:02(12) from the requirements of its Certificate of Authority.

At its duly noticed February 24, 1998, meeting, the Commission considered whether to grant the requested waivers. ARSD 20:10:24:02(7) pertains to the geographic area in which services will be offered. As FirstTel will be restricting its offerings to U S WEST territory, Staff recommended a waiver of this rule. ARSD 20:10:24:02(12) requires that cost support for rates shown in the company's tariff be filed. As FirstTel is reselling U S WEST's services, Staff recommended that this rule also be waived.

The Commission has jurisdiction over this matter pursuant to SDCL 49-31-3 and ARSD 20:10:24:02. Based upon the above stated reasons, the Commission unanimously voted to approve the waivers as requested by FirstTel.

It is therefore

ORDERED, that FirstTel's request for a waiver of ARSD 20:10:24:02(7) and 20:10:24:02(12) as it pertains to its Certificate of Authority is hereby granted.

Dated at Pierre, South Dakota, this 10<sup>th</sup> day of March, 1998.

<b>CERTIFICATE OF SERVICE</b>
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.
By: <u><i>Helaine Kalks</i></u>
Date: <u>3/10/98</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

*James A. Burg*  
JAMES A. BURG, Chairman

*Pam Nelson*  
PAM NELSON, Commissioner

*Laska Schoenfelder*  
LASKA SCHOENFELDER, Commissioner